

WESTERN DISTRICT OF TENNESSEE

WESTERN DIVISION

2005 APR 19 AM 9:29

U.S.A. vs. Kenneth McMullen

Docket No. 2:97CR20190

Petition on Probation and Supervised Release

COMES NOW DAWN L. BROWN, PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Kenneth McMullen, who was placed on supervision by the Honorable Samuel H. Mays, Jr. sitting in the Court at Memphis, Tennessee, on the 5th day of July, 2002, who fixed the period of supervision as a Conditional Release, and imposed the general terms and conditions theretofore adopted by the Court.

1. The defendant shall reside at Ridgmont Group Home in a structured environment in which his compliance with medication and community adjustment can be monitored.
2. The defendant shall continue to take medication as ordered and as may be adjusted by his treating psychiatrist.
3. The defendant shall participate in mental health programs deemed therapeutic by the mental health professionals supervising his care, which may include voluntary admission to a psychiatric hospital on an inpatient basis should it be deemed necessary by his treating psychiatrist.
4. The defendant shall abstain from any use of alcohol or drugs (other than lawful medications prescribed by his treating psychiatrist and/or physician), shall submit to random urinalysis testing at the direction of the Probation Office and/or the professionals treating him, and shall participate in substance abuse treatment at an agency approved by the Probation Office.
5. The defendant shall not make threats to harm anyone.
6. The defendant shall be supervised by the U.S. Probation Office for the Western District of Tennessee and shall voluntarily consent to the release of information between the Probation Office and the treating mental health professionals.

* Supervision began: September 25, 2002

SEE ATTACHED

PRAYING THAT THE COURT WILL ORDER a Warrant be issued for Kenneth McMullen to appear before the United States District Court to answer charges regarding his violations of his Conditional Release.

BOND: _____

ORDER OF COURT

Considered and ordered 19K day
of April, 2005 and ordered
filed and made a part of the records in
the above case.

[Signature]

United States District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed
on April 19, 2005

[Signature]
United States Probation Officer

Place: Memphis, TN 38103

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The Defendant Has Violated The Following Conditions Of His Conditional Release.

The defendant shall reside at Ridgemont Group Home in a structured environment in which his compliance with medication and community adjustment can be monitored.

On April 13, 2005, Kenneth McMullen attacked another mental health consumer at the Southeast Mental Health Center (a residential facility) where he resided. According to a Southeast Mental Health Center incident report, Mr. McMullen made an object with a sharp edge which he used to attack his suite mate by cutting him on his forehead. Mr. McMullen was taken into custody by Memphis Police and transported to the Regional Medical Center at Memphis on a mental health emergency commitment. Case Manager, Patricia Doresy, of Southeast Mental Health Center advised that the defendant was discharged from the facility effective April 17, 2005 as a result of this incident and would not be allowed to return to any Southeast Mental Health Center residential facilities. Currently, Mr. McMullen is hospitalized at Community Behavioral Heath with a discharge date of April 19, 2005.

The defendant shall not make threats to harm anyone.

A Southeast Mental Health Center incident report dated April 13, 2005, reveals that shortly after the attack, Mr. McMullen stated to Terrance Potlow, Southeast Mental Health Residential Coordinator, that he would kill the victim.



Notice of Distribution

This notice confirms a copy of the document docketed as number 39 in case 2:97-CR-20190 was distributed by fax, mail, or direct printing on April 19, 2005 to the parties listed.

Dan Newsom
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Samuel Mays
US DISTRICT COURT